



CITY OF CORTLAND COMMON COUNCIL MEETING

JUNE 20, 2023 - 6:00 PM

MINUTES

MEETING LOCATION

CITY HALL, THIRD FLOOR
25 COURT STREET
CORTLAND, NY 13045

STREAMING VIA ZOOM

MEETING ROOM ID:
923 566 4700
[ZOOM LINK](#)

MAYOR

SCOTT STEVE

COUNCIL MEMBERS

WAYNE SCHUTT
KATY SILLIMAN
MARY CLARE PENNELLO
PAT LANE
SETH THOMPSON
BILL CARPENTER
TROY BECKWITH
TOM MICHALES

CITY CLERK

ANDY JEWETT

CORPORATION COUNSEL

A.J. MELDRIM

DIRECTOR OF

ADMINISTRATION & FINANCE

LISA HENTY

CONTACT

ANDY JEWETT, CITY CLERK
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RESOLUTIONS ADOPTED

- Resolution No. 107 Amend the 2023 Adopted Budget by \$722,112
- Resolution No. 108 Amend the 2023 Adopted General Fund Budget for Increases in the New York State 2023/2024 Budget for Assistance for City Street Repairs
- Resolution No. 109 Authorize the Award of Microenterprise Assistance Program Funds under Community Development Block Grant #285ME506-22
- Resolution No. 110 Set Required Second Public Hearing Relating to Community Development Block Grant (CDBG) #285HR144-20, Which Provided Funding for the City-Wide Owner-Occupied Housing Rehabilitation Program through the NYS Small Cities CDBG Program
- Resolution No. 111 Authorize Submission of a 2023 Environmental Protection Act Parks Development Grant for the Randall Park Improvements Project
- Resolution No. 112 Adopt Local Law No. 13 of 2023 To Amend Chapter 11, Article VII of the Administrative Code as it Relates to Parking Regulations and Authority Thereof in the City of Cortland
- Resolution No. 113 Approve Special Event and Sound Device Permits for the July 2023 Main St. Music Series in Courthouse Park
- Resolution No. 114 Approve Special Event Permit and partial Street Closing for the Salvation Army Race Against Hunger 5K Run/Walk on July 29, 2023
- Resolution No. 115 Approve Special Event Permit, Sound Device Permit and Street Closing for the Cortland Disabled American Veterans' Family Fun Day on July 9, 2023
- Resolution No. 116 Authorize Agreement with G. DeVincentis & Sons for Construction Relating to the Groton Avenue Public Improvements Project



- Resolution No. 117 Allow the Mayor to Authorize a Contract with Adhan Piping for the City of Cortland Curb & Sidewalk Ramp Replacement Project
- Resolution No. 18 Accept and Recognize Donations to Fire Department
- Resolution No. 119 Authorize Purchase of Drone Equipment for Police and Fire Department Use
- Resolution No. 120 Accept and Recognize Donations to the Police Department K9 Unit
- Resolution No. 121 Authorize Issuance of a Request for Proposals (RFP) for the Purchase and Installation of Boilers at the Wastewater Treatment Facility



CITY OF CORTLAND COMMON COUNCIL MEETING

JUNE 20, 2023 AT 6:00 PM

MINUTES

PUBLIC HEARING

Public Hearing No. 1

Relating to Proposed Local Law No. 13 of 2023 to Amend Chapter 11, Article VII of the Administrative Code as it Relates to Parking Regulations and Authority Thereof in the City of Cortland

A public hearing was opened at 6:01 p.m.

Denise Feinstein, owner of the Hollywood restaurant, expressed concern that a paid parking system would discourage people from going downtown, and said she does not want the number of parking spaces in the parking lot near the Hollywood to be reduced.

Carol Corbin, a member of Assemblywoman Kelles' staff, expressed frustration about her inability to obtain a parking permit and said there should be more accommodations and flexibility for people who work downtown.

The public hearing was closed at 6:09 p.m.

CALL TO ORDER – ROLL CALL

Mayor Steve called the meeting to order at 6:09 p.m., and the City Clerk called the roll. The following Common Council members were in attendance:

Wayne Schutt	First Ward Alderperson
Katy Silliman	Second Ward Alderperson
Mary Clare Pennello	Third Ward Alderperson
Patricia Lane	Fourth Ward Alderperson
Seth Thompson	Fifth Ward Alderperson
William Carpenter	Sixth Ward Alderperson
Troy Beckwith	Seventh Ward Alderperson

The following Common Council member was recorded absent:

Thomas Michales	Eighth Ward Alderperson
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SALUTE TO THE FLAG

MOMENT OF REFLECTION

PRIVILEGE OF THE FLOOR / PRESENTATIONS

City Fire Chief Wayne Freidman introduced Caden Brown, A Cortland High School student who interned with the Fire Department.

David Tanner and Scott Fairbanks were sworn in as Fire Police.

City Police Chief Paul Sandy read a letter of commendation, recognizing Officer Chad Hines for leading the tactical response team's search and apprehension of a person suspected of a shooting in a downtown apartment.

Chief Sandy also announced the selection of the officer of the year, who, due to the nature of their work as part of the interdepartmental drug investigation team, is not being identified by name.

DIRECTOR OF ADMINISTRATION & FINANCE'S REPORT

Lisa Henty, Director of Administration and Finance, provided a financial update, summarizing reports which were provided to the Common Council and posted on the City website for the public in advance of the meeting. Ms. Henty noted that revenues are on pace for budgeted spending, and that expenditures track below budget.

The 2021 external audit engagement is wrapping up and is scheduled to be presented to Common Council at the July 18, 2023 meeting. The 2022 external audit engagement is now underway with the auditors starting on-site the week of June 19th and completing field work throughout July. The initial schedule anticipate completion in late September, with the presentation to Common Council planned for September 19, 2023.

MAYOR'S REPORT

Mayor Steve recognized recent graduates of the state's recruit firefighter training program and ,announced the start of the fire hydrant painting program and swim lessons. The Mayor provided an update on downtown construction, a storm water management project, and street paving. He said that eleven city streets had been milled and paved this year and that eleven more would be completed this season.

WARD REPORTS

- Ward 1: Council Member Schutt attended the Juneteenth celebration and commented on the informative speakers. He asked that people not leave mowed grass in the street as it is a danger to motorcycle riders. He encouraged constituents to call him with questions and concerns.
- Ward 2: Council Member Silliman said that there is graffiti on the corner of Pleasant St. and Hill St. along with shoes hanging from nearby power lines. She commented on the interest and discussion at the Parker School informational meeting and encouraged people to contact her with their questions and concerns.
- Ward 3: Council Member Pennello thanked DPW and the Police Department for their response and assistance with neighborhood issues.

- Ward 4: Council Member Lane complimented Battalion Chief Reynolds and the Fire Department for their response to a water main break in the college's Park Center. She also noted and congratulated Mr. Reynolds for his upcoming promotion to Deputy Chief.
- Ward 5: Council Member Thompson is on the Juneteenth planning committee and thanked Mayor Steve and Police Chief Sandy for their help. He noted there were about 100 attendees and hopes that the event will continue to grow. Mr. Thompson also pointed out traffic concerns and some potential health and safety issues relating to downtown construction. He suggested that trees be planted on South Main St.
- Ward 6: Council Member Carpenter gave credit to Mayor Steve and Police Chief Sandy for their efforts in reestablishing the joint drug task force.

APPROVAL OF THE MINUTES

The minutes of the May 16, 2023 Council meeting were approved.

Motioned by: Council Member Schutt

Seconded by: Council Member Carpenter

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
Nays – 0

PROCLAMATIONS

Proclamation No. 1 Declaring June 20th Arbor Day in the City of Cortland

WHEREAS, in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees; AND

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; AND

WHEREAS, Arbor Day is now observed throughout the nation and the world; AND

WHEREAS, trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife; AND

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; AND

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; AND

RESOLVED, trees - wherever they are planted -are a source of joy and spiritual renewal; NOW, THEREFORE, BE IT

RESOLVED, I, Scott Steve, Mayor of the City of Cortland, do hereby proclaim June 20, 2023 Arbor Day in the City of Cortland, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; AND BE IT FURTHER

RESOLVED, that I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Motioned by: Council Member Schutt

Seconded by: Council Member Beckwith

Discussion: Mayor Steve thanked Mike Dexter, Diane Batzing, Linda Armstrong and the Landscape and Design Committee for all of their work in planting and maintaining the City's trees.

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
Nays – 0

RESOLUTIONS

Resolution No. 107 Amend the 2023 Adopted Budget by \$722,112

WHEREAS, the Cortland Common Council is charged by the City Charter and Code with the preparation of an annual budget for the City of Cortland; AND

WHEREAS, on December 20, 2022, the Common Council adopted the 2023 City Budget for 2023; AND

WHEREAS, during the course of the fiscal year certain events occur that necessitate changing the budget plan by increasing or decreasing the total budget; AND

WHEREAS, the Department of Administration and Finance recommends the following adjustments to the 2023 budget; AND

WHEREAS, this resolution amends the City's 2023 Adopted budget by \$722,112 with an appropriations to the Fire Department, Police Department, Public Works, and Youth Bureau; AND

WHEREAS, on January 17, 2023 the Common Council approved the application and acceptance of a FEMA Assistance to Firefighters Grant (AFG); AND

WHEREAS, this grant has been awarded and the budget must be amended in the amount \$545,364 for the purchase of self-contained breathing apparatus (SCBA) for the City of Cortland, as well as the Willet and Marathon Fire Departments with a 10% match which will be funded within the 2023 Fire Department budget allocation and payments from Willet and Marathon totaling \$6,363.64 and \$10,818.18 respectively; AND

WHEREAS, the Fire Department had firefighters, as trained EMTs, eligible for a NYS bonus in the amount of \$1,500 as part of the NYS Healthcare Worker Bonus Program for two vesting periods covering October 2021 through September 2022 in which the State of New York provided \$116,262 to the City of Cortland for this payment to be appropriated to personnel lines; AND

WHEREAS, the Police Department received an insurance recovery in the amount of \$4,243.05 for the partial loss of a vehicle and is requesting to appropriate the funds to A3120-540200 for motor vehicle equipment and repairs; AND

WHEREAS, the Police Department sold surplus materials in the amount of \$1,060 consisting of scrap ammunition casings and is requesting to appropriate the funds to A3120-541603 for firearms training; AND

WHEREAS, the Department of Public Works received funding in the amount of \$55,183 from D.A. Collins Construction company to help offset the costs associated with the Front Street resurfacing project scheduled for completion in 2023 and this action will appropriate funding to A5110-540500; AND

WHEREAS, the Youth Bureau has a truck that has reached the end of serviceable life and is requesting the item be removed from service, declared as surplus and any proceeds from the vehicle are appropriated to the sale of equipment revenue and the corresponding equipment replacement expenditure code A7110-540502; NOW, THEREFORE, BE IT

RESOLVED, by the City of Cortland Common Council on this 20th day of June 2023, that the 2023 budget be, and is hereby, amended in the amount of \$722,112 as outlined in the accompanying table and as described above; AND BE IT FURTHER

RESOLVED, that the City of Cortland Common Council declare the Youth Bureau Truck as surplus property to advertise the vehicle for sale and appropriate those proceeds to A7110-540502.

Budget Actions Summary – 2023		
<u>Supplemental Appropriation</u>	General Fund	\$722,112

Requesting Department	Description	Amount	Category		Action/Explanation
			Source	Fund	
Fire Department	FEMA Assistance to Firefighters Grant	\$545,364	Federal Funding	General Fund	Appropriates grant funding from the FEMA AFG for 90% of the costs associated with the SCBA replacement. Local match will be funded within Fire's current allocation and Willet and Marathon's payments.
Fire Department	New York State Health Care and Mental Hygiene Worker Bonus	\$116,262	State Funding	General Fund	Appropriates State dollars for the Health Care and Mental Hygiene Worker Bonus of \$1,500 for eligible EMTs. Two eligible periods were funded covering October 2021 and March 2022 and April 2022 through September 2022. In total 37 unique employees were eligible.
Police Department	Insurance Recovery	\$4,243	Local Funds	General Fund	Appropriates insurance recovery for partial loss of Chevy Equinox. Funding will be appropriated to A3120-540200 for Motor Equipment and Repairs.

Police Department	Sale of Surplus Equipment	\$1,060	Local Funds	General Fund	Appropriates funding from the sale of scrap ammunition casings. Funding will be appropriated to A3120-541603 for firearms training.
Public Works	Funding for Street Resurfacing project	\$55,183	Local Funds	General Fund	Appropriates funding from D.A. Collins Construction for the Front Street resurfacing initiative to be completed in 2023 in account A5110-540500.
Youth Bureau	Sale of Surplus Equipment	TBD	Local Funds	General Fund	Declare a Youth Bureau Truck as a surplus item and appropriate any sales received for this to support future equipment purchases out of A7110-540502.

Motioned by: Council Member Pennello

Seconded by: Council Member Lane

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
 Nays – 0

Resolution No. 108 Amend the 2023 Adopted General Fund Budget for Increases in the New York State 2023/2024 Budget for Assistance for City Street Repairs.

WHEREAS, The City of Cortland has made an ongoing commitment to the repair, rehabilitation and modernization to our local roads and walkways and;

WHEREAS, the City has available to it \$385,444.39 in allocated 2022/2023 Consolidated Local Street and Highway Improvement Program (CHIPS) funds; AND

WHEREAS, the City has available to it \$107,701.57 in allocated 2022/2023 Extreme Winter Recovery (EWR) funds; AND

WHEREAS, the City has available to it \$98,458.41 in allocated 2022/2023 Pave NY funds; AND

WHEREAS, the City has available to it \$797.49 in allocated 2022/2023 State Touring Route (STR) funds; AND

WHEREAS, the City has available to it \$2,220.98 in allocated 2022/2023 Pave Our Potholes (POP) funds; AND

WHEREAS, the City’s allocated 2023/2024 CHIPS funding is \$386,169.22; AND

WHEREAS, the City’s allocated 2023/2024 EWR funding is \$64,962.10; AND

WHEREAS, the City’s allocated 2023/2024 Pave NY funding is \$96,632.66; AND

WHEREAS, the City’s allocated 2022/2023 STR funding is \$1,197,601.86; AND

WHEREAS, the City’s allocated 2022/2023 POP funding is \$64,421.77; AND

WHEREAS, the City now has available to it for current use \$771,613.6, in CHIPS funding; AND

WHEREAS, the City now has available to it for current use \$172,663.67, in EWR funding; AND

WHEREAS, the City now has available to it for current use \$195,091.07, in Pave NY funding; AND

WHEREAS, the City now has available to it for current use \$1,198,399.35, in STR funding; AND

WHEREAS, the City now has available to it for current use \$66,642.75, in POP funding;

NOW, THEREFORE, BE IT

RESOLVED, that the City's 2023 General Fund Adopted Budget be amended to reflect the following uses of available funding:

- Expenditure of \$345,312.81 of available Consolidated Local Street and Highway Improvement Program (CHIPS) funding for repair of streets and curbing;
- Expenditure of \$426,300.80 of available CHIPS funding for repair towards equipment purchases;
- Expenditure of \$172,663.67 of available Extreme Winter Recovery (EWR) funding towards repair of streets and curbing;
- Expenditure of \$195,091.07 of available Pave NY funding towards repair of streets and curbing;
- Expenditure of \$1,198,399.35 of available State Touring Route (STR) funding towards repair of streets, curbing and traffic signals; and
- Expenditure of \$66,642.75 of available Pave Our Potholes (POP) funding for repair towards repair of streets and curbing.

Motioned by: Council Member Pennello

Seconded by: Council Member Beckwith

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
Nays – 0

Resolution No. 109

Authorize the Award of Microenterprise Assistance Program Funds under Community Development Block Grant #285ME506-22

WHEREAS, the City of Cortland was awarded \$200,000 in Community Development Block Grant (CDBG) Microenterprise funds to administer a Microenterprise Assistance Program (MAP) in the City pursuant to CDBG #285ME506-22; AND

WHEREAS, the City of Cortland solicited applications from eligible Microenterprises for assistance provided under the above referenced CDBG; AND

WHEREAS, funding for this program is competitive requiring that applications be rated and reviewed by an established MAP Review Committee, with said Committee to subsequently make recommendations of funding to the City of Cortland Common Council which is charged with making final approval for all funding under CDBG #285ME506-22; AND

WHEREAS, the City's MAP Review Committee is recommending the award of \$29,500.00 to Robinson's Family Jewelers located at 3 Groton Avenue; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council does hereby approve the award of \$29,500.00 to Robinson's Family Jewelers subject to terms and conditions as required under the Community Development Block Grant (CDBG) Microenterprise regulations and as established by the Microenterprise Assistance Program (MAP) Review Committee; AND BE IT FURTHER

RESOLVED, that the Mayor of the City of Cortland is authorized to sign commitment letters detailing the terms and conditions of the award of these funds and any other document(s) necessary to implement the award of said funding.

Motioned by: Council Member Carpenter

Seconded by: Council Member Silliman

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
Nays – 0

Resolution No. 110 Set Required Second Public Hearing Relating to Community Development Block Grant (CDBG) #285HR144-20, Which Provided Funding for the City-Wide Owner-Occupied Housing Rehabilitation Program through the NYS Small Cities CDBG Program

WHEREAS, the NYS Small Cities Community Development Block Grant (CDBG) Program requires that a second public hearing be held during the administrative phase of an awarded Community Development Block Grant to provide information to the public with respect to the progress of the subject grant and to ask questions regarding the grant and the grantee’s Community Development Program; NOW, THEREFORE, BE IT

RESOLVED, that a public hearing with respect to Community Development Block Grant (CDBG) #285HR144-20, which provided funding for the City-Wide-Owner-Occupied Housing Rehabilitation Program under the NYS Small Cities CDBG Program, shall be held on the 18th, day of July, 2023 at 6:00 p.m. at City Hall, 25 Court Street, Cortland, New York and notice of such public hearing shall be published in the official newspaper of the City of Cortland.

Motioned by: Council Member Pennello

Seconded by: Council Member Silliman

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
Nays – 0

Resolution No. 111 Authorize Submission of a 2023 Environmental Protection Act Parks Development Grant for the Randall Park Improvements Project

WHEREAS, the City of Cortland is applying for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) under Title 9 of the Environmental Protection Act of 1993, for the purpose of funding a phase of the Randall Park Improvements Project; AND

WHEREAS, the City of Cortland believes that Environmental Protection Fund (EPF) Parks Development funding is necessary to complete the proposed park improvements; AND

WHEREAS, the City of Cortland has determined that the proposed improvements to Randall Park are in the best interest of the residents of the City of Cortland; AND

WHEREAS, the City of Cortland acknowledges that the proposed EPF project will require at least a 25% local match which will be satisfied by a combination of force account labor and cash; NOW, THEREFORE, BE IT

RESOLVED that the City of Cortland is authorized and directed to apply for and accept Environmental Protection Fund grant funds in an amount not to exceed \$500,000.00 for the project described in the grant application; AND BE IT FURTHER

Be it enacted by the Common Council of the City of Cortland as follows:

Section 1. Enactment and Title.

§11-61. Applicability; Authority to Regulate.

- A. Applicability.** The provisions of this article shall apply expect when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer, or traffic control device.
- B. Authority to Regulate and Modify.**
 - (1) Rules and regulations with respect to parking on public highways and in public parking lots within City's corporate limits shall be established by resolution of the Common Council of this City. Such rules and regulations may thereafter be amended from time to time by like resolution.
 - (2) The power and duties of the Common Council as outlined hereunder shall include, but not be limited to, the authority to regulate short-term parking, long-term parking, permit parking, to designate locations where parking is prohibited, designate locations where parking is reserved for a specific purpose or use (i.e. particular permit parking spaces, reserved parking spaces, handicap parking spaces), to establish exceptions to any parking restrictions set forth, to establish a fee schedule associated with parking, to set any penalties associated with a violation of the City's parking rules and regulations, and any other rules or regulations described in or contemplated by this article.
 - (3) Any action taken by the Common Council under the authority as provided herein, and as such action pertains to parking within the corporate limits of the City shall be subject to applicable New York State rules and regulations, and the Council shall consult with appropriate City officials and officers, as needed.

§11-62. All-Night Parking.

- A. The parking of vehicles is hereby prohibited on all highways within the corporate limits of the City between the hours of 2:00 A.M. and 6:00 A.M.
- B. The prohibition, if any, against parking vehicles in municipal parking lot(s) between the hours of 2:00 A.M. and 6:00 A.M., shall be regulated in accordance with the provisions and authority set forth in §11-61 of this article.
- C. **(Reserved).**

§11-63. City of Cortland Parking Rules and Regulations; Generally, Designated Locations.

- A. Parking Prohibited at All Times.**
- B. Parking Prohibited December 1 to April 1.**
- C. Parking Prohibited on Bridges.**
- D. Parking Prohibited in Crosswalks.**
- E. Parking Prohibited in Loading Zones.**
- F. Parking Prohibited in Mailing Zones.**
- G. Parking Prohibited in School Areas.**

H. Parking on Certain City Property.

- (1) The parking, leaving, or standing of vehicles on or in the municipal lots or City property listed in §11-63 H(2) below, shall be regulated in accordance with the provisions and authority set forth in §11-61 of this article.
- (2) Municipal Lots (City Property).
 - (a) Central Avenue Parking Lot;
 - (b) City Municipal Parking Lot (23 Court Street);
 - (c) Clinton Avenue Lot (27-29 Clinton Avenue);
 - (d) Dexter Park Parking Lot;
 - (e) Groton Avenue Parking Lot (23 Groton Avenue);
 - (f) Main Street Parking Lot (143-145 Main Street);
 - (g) Marine Midland Parking Lot;
 - (h) Orchard Street Parking Lot (20 Main Street);
 - (i) Port Watson Street Parking Lot (16-22 Port Watson Street);
 - (j) Port Watson Youth Center Parking Lot;
 - (k) Williams Street Parking Lot;
 - (l) Any other municipal lot or City property that may be utilized for the purpose of public parking.
- (3) Other Locations.
- (4) No vehicle shall be parked or left standing at any time in any portion of any of the public municipal parking lots designated in §11-63 H(2) except that such vehicle shall be parked or left standing entirely within the parking spaces therein adequately marked for such purpose. The parking spaces in any public municipal parking lot designated in §11-63 H(2), in their entirety or in any adequately marked lesser number are hereby designated and established as controlled parking zones.
- (5) Nothing contained herein shall be construed to permit or allow the parking, leaving, or standing of vehicles on bridges, in crosswalks, in loading zones, in mailing zones, in school areas, or other places in which the parking, leaving, or standing of vehicles is regulated, limited, or prohibited by this article or other provisions of this Administrative Code.

I. Parking for Certain Purposes.

J. Parking in Miscellaneous Places.

§11-64. Standing in Designated Locations.

§11-65. Stopping in Designated Locations.

§11-66. Parking Time Limited in Designated Locations.

§11-67. Responsibility of Owners for Violations.

§11-68. Through 11-70. (Reserved).

Section 2. Separability.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Cortland hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Findings.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4 Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Motioned by: Council Member Carpenter

Seconded by: Council Member Pennello

Discussion: Mayor Steve, City Corporation Council A.J. Meldrim and Eric Mulvihill, Economic Development/Community Relations Specialist with the Cortland County Business Development Corporation explained that the local law does not impose a paid parking system or make logistical parking lot changes. The local law will give the Common Council the ability to administer a parking system which more simplicity and clarity.

Mr. Meldrim explained that the local law would give the Common Council the authority to make changes to the City's parking rules via resolution rather than amending the City Administrative Code through local law. Mr. Meldrim provided the Council a memo in advance of the meeting which outlines the following changes within Chapter 11, Article VII of the City's Administrative Code:

§11-61. Applicability; Authority to Regulate: Provisions were added which provide to the Common Council the ability and authority to modify or revise parking regulations in the City of Cortland by resolution, as needed. The proposed language changes would create three subsections under §11-61 – §11-61 A., §11-61 B., and §11-61 C.

§11-62. All-Night Parking: Among the themes of the proposed changes to the City's parking scheme are that of clarity and simplicity. Here, several municipal lots were contemplated. Most of those same lots are also contemplated in letter in this article, but the provisions are conflicting. Therefore, the list of lots in §11-62 B. would be removed, and all municipal lots would be provided for under revised §11-63 H., subject to applicable rules and regulations as this article will provide, if approved as proposed. This will avoid a back and forth comparison of each section that contemplates parking in our City's public lots.

§11-63. City of Cortland Parking Rules and Regulations; Generally, Designated Locations: (This is a title change – currently reads as 'Parking Prohibited in Designated Locations'. The current title is misleading. Approximately half of §11-63 contemplates the current how/when/where parking is allowed, and is not limited to where it is prohibited.)

To conform this section to title change for §11-63, and in an effort to continue with the goal of clarity, added the phrase “Parking Prohibited...” to the titles subsections 11-63 A. through 11-63 G.

Down that same vein of clarity, added the term “Parking [on/at/in, etc.]” to the titles for subsections 11-63 H. through 11-63 J, or alternatively the term “Prohibited” was removed.

§11-63 H. Parking on Certain City Property: All of the municipal lots available for public parking, and subject to Common Council approved/revised parking regulations, are now contemplated in one location, being this subsection.

Any conflicting terms among different subsections will go away.

It appears that the conflicting rules result from the countless local laws that have been enacted over decades each time a minor change is required to the City parking regulations. That approach creates incredible confusion.

A new subsection for the sole purpose of listing the lots. This would read as 11-63 H. (2) if the local law being proposed is passed by the Council. Again, it refers the reader back to the §11-61 Council provision, as opposed to listing differing parking schemes for each individual lot (as well as certain spaces and areas within these lots).

No matter each lot’s resulting parking scheme, or what a driver’s parking intentions are (i.e. short-term parking, long-term parking, permit parking, etc.), one central resource – the Common Council – shall have the ability to keep the requisite rules and regulations up to date and straightforward.

This way (as it is possible adjustments will need to be made from to time as the City undertakes this improvement project) adjustments, if needed, can be made efficiently, and therefore effectively, while still allowing for public input (Council meetings).

Because of the new language proposed as §11-63 H. (2), the subsequent subsections needed to be renumbered (i.e. former §11-63 H. (2) would become §11-63 H. (3) under the proposed local law text). The rest of §11-63 H. beyond H. (2) otherwise remains untouched.

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
Nays – 0

Resolution No. 113 Approve Special Event and Sound Device Permits for the July 2023 Main St. Music Series in Courthouse Park

WHEREAS, organizers of the Main Street Music Series have submitted a Special Event Permit Application for the purposes of holding music performances at Courthouse Park from 5:30 p.m. to 9:30 p.m. on July 7, 14, 21 and 28, 2023; AND

WHEREAS, organizers have submitted a Sound Device Permit Application for 6:00 p.m. to 9:30 p.m. on July 7, 14, 21 and 28, 2023; AND

WHEREAS, the Police Department, Fire Department, Department of Public Works, Youth Bureau and City Clerk’s Office have reviewed applicable aspects of these permit applications and recommended their approval; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council does hereby approve for issuance by the City Clerk a Special Event Permit and a Sound Device Permit without fee for the Main Street Music Series to be held in Courthouse Park from 5:30 p.m. to 9:30 p.m. on July 7, 14, 21 and 28, 2023.

Motioned by: Council Member Beckwith

Seconded by: Council Member Carpenter

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
Nays – 0

Resolution No. 114 Approve Special Event Permit and partial Street Closing for the Salvation Army Race Against Hunger 5K Run/Walk on July 29, 2023

WHEREAS, the Salvation Army has submitted a Special Event Permit Application for the purposes of holding the Race Against Hunger 5K Run/Walk at Yaman Park from 9:00 a.m. to 11:00 a.m. on July 29, 2023; AND

WHEREAS, the Salvation Army has submitted an application for the partial closing of Kennedy Parkway and Yaman Park parking lot from the hours of 9:00 a.m. to 11:00 a.m. on July 29, 2023; AND

WHEREAS, the Police Department, Fire Department, Department of Public Works, Youth Bureau and City Clerk's Office have reviewed applicable aspects of these permit applications and recommended their approval; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council does hereby approve for issuance by the City Clerk a Special Event Permit for the Salvation Army Race Against Hunger 5K Run/Walk to be held on July 29, 2023; AND BE IT FURTHER

RESOLVED, that the Common Council does hereby authorize the partial closing of Kennedy Parkway and Yaman Park parking lot from the hours of 9:00 a.m. to 11:00 a.m. on July 29, 2023.

Motioned by: Council Member Thompson

Seconded by: Council Member Carpenter

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
Nays – 0

Resolution No. 115 Approve Special Event Permit, Sound Device Permit and Street Closing for the Cortland Disabled American Veterans' Family Fun Day on July 9, 2023

WHEREAS, the Disabled American Veterans Cortland Chapter 153 has submitted a Special Event Permit Application for the purposes of holding a Family Fun Day event on Scammel St. from 12:00 p.m. to 6:00 p.m. on July 9, 2023; AND

WHEREAS, the organization has submitted an application for the closing of Scammel St. from the hours of 10:00 a.m. to 7:00 p.m. on July 9, 2023; AND

WHEREAS, the organization has submitted a Sound Device Permit Application for music from 12:00 p.m. to 6:00 p.m. July 9, 2023; AND

WHEREAS, the Police Department, Fire Department, Department of Public Works, Youth Bureau and City Clerk's Office have reviewed applicable aspects of these permit applications and recommended their approval; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council does hereby approve for issuance by the City Clerk a Special Event Permit, and a Sound Device Permit without fee for the Disabled American Veterans Cortland

Chapter 153's Family Fun Day event to be held on Scammel St. from 12:00 p.m. to 6:00 p.m. on July 9, 2023;
AND BE IT FURTHER

RESOLVED, that the Common Council does hereby authorize the closing of Scammel St. from the hours of 12:00 p.m. to 6:00 p.m. on July 9, 2023.

Motioned by: Council Member Schutt

Seconded by: Council Member Thompson

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
Nays – 0

Resolution No. 116 Authorize Agreement with G. DeVincentis & Sons for Construction Relating to the Groton Avenue Public Improvements Project

WHEREAS, the City of Cortland has made a commitment to improving the appearance and infrastructure of the Groton Avenue corridor within the City; AND

WHEREAS, the City of Cortland put forth a request for proposal to advance these efforts; AND

WHEREAS, the upgrade would have a great benefit to the community and its infrastructure; AND

WHEREAS, the G. DeVincentis & Sons organization shall install new, lighting, traffic signals, curbing, sidewalks, landscaping, asphalt, road striping as well as upgrades to the sanitary, storm and water systems as per the project plans and specifications engineered by Bernier & Carr Associates; NOW, THEREFORE, BE IT

RESOLVED that the City of Cortland Common Council does hereby authorize Mayor Steve to execute an agreement with G. DeVincentis & Sons, in the amount of \$7,596,000.00 for construction work related to the Groton Avenue Public Improvement Project.

Motioned by: Council Member Pennello

Seconded by: Council Member Schutt

Discussion: Nic Dovi, DPW Superintendent explained that the work will be conducted between Otter Creek and Main St. It will begin next month and continue next year. One lane will be closed during much of the project.

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
Nays – 0

Resolution No. 117 Allow the Mayor to Authorize a Contract with Adhan Piping for the City of Cortland Curb & Sidewalk Ramp Replacement Project

WHEREAS, the City of Cortland had identified specific city streets scheduled for resurfacing that are in need of new granite curbing and New York State Department of Transportation requires all sidewalk ramps to be compliant with Americans with Disabilities Act (ADA) on streets where Consolidated Local Street and Highway Improvement Program (CHIPS) funding is applied; AND

WHEREAS, The City of Cortland Department of Public Works (DPW) put forth a request for proposal to install 3,275 linear feet of curbing and 78 curb ramps at various locations; AND

WHEREAS, the upgrade would have a great benefit to the community and its infrastructure; AND

WHEREAS, Adhan Piping will furnish all labor (including traffic control), materials, equipment, tools necessary to remove existing curbing and install and replace approximately 3,275 linear feet of curbing and to replace and or rehabilitate approximately 78 curb ramps, in accordance with the Americans with Disabilities Act (ADA), on various streets within the city limits for a cost of \$150.00 per lineal foot of curbing and \$5,000.00 per ramp for a total cost not to exceed \$881,250.00; AND

WHEREAS, said work will commence in accordance to the scheduled resurfacing work of the DPW during the 2023 construction season; NOW, THEREFORE, BE IT

RESOLVED that the City of Cortland Common Council does hereby authorize Mayor Steve to execute a contract with Adhan Piping for replacement and installation of curbing and curb ramps in accordance with the Americans with Disabilities Act (ADA) on various streets for a cost not to exceed \$881,250.00.

Motioned by: Council Member Pennello

Seconded by: Council Member Carpenter

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
Nays – 0

Resolution No. 118 Accept and Recognize Donations to Fire Department

WHEREAS, donations have been given to the Cortland Fire Department; AND

WHEREAS, the Common Council must accept and allocate such funds; AND

WHEREAS, the Mayor, Common Council and Cortland Fire Department wish to publicly recognize these donations and the generosity of the donors; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council agrees to accept a donation in the amount of \$25.00 from Kathy Olmstead made in memory of Jim LeFever, long time Fire Coordinator for Cortland County, and recognizes and extends its appreciation for her generosity; AND BE IT FURTHER

RESOLVED, the Common Council appropriates the funds to the Fire Department donation account (TE-00-2044) earmarked for replacement of an automated external defibrillator (AED), and recognizes and extends its appreciation for the generosity of the donors.

Motioned by: Council Member Lane

Seconded by: Council Member Schutt

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
Nays – 0

Resolution No. 119 Authorize Purchase of Drone Equipment for Police and Fire Department Use

WHEREAS, specialized equipment has become increasingly more important and sophisticated in both law enforcement and firefighting professions; AND

WHEREAS, drones are one such piece of specialized equipment, which have become increasingly more prevalent in these fields; AND

WHEREAS, the Cortland City Police Department and the Cortland City Fire Department are interested in a joint purchase of two drones to utilize during performance of their duties; AND

WHEREAS, the drones include EVO Max 4T and a DJI Avata Explorer, both equipped with audio visual and infrared capabilities, as well as all controllers, battery packs and accessories; AND

WHEREAS, the drones will be utilized for a host of functions, including search and rescue, tactical firefighting, hazmat identification and surveillance, barricade suspect/hostage situations, high risk search warrants and monitoring large events; AND

WHEREAS, the Cortland City Police Department has two officers certified as FAA Part 107 operators; AND

WHEREAS, the Cortland City Police Department and the Cortland City Fire Department will share the initial cost of \$10,678.00, along with all potential future costs, through a combination of budgeted line items and donated funds; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council hereby authorizes the City Police Department and the City Fire Department to purchase two drones and accessory equipment for which they will share the initial cost of \$10,678.00 along with all potential future costs in a joint venture for use in their respective duties.

Motioned by: Council Member Schutt

Seconded by: Council Member Carpenter

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]

Nays – 0

Resolution No. 120

Accept and Recognize Donations to the Police Department K9 Unit

WHEREAS, the Cortland City Police Department routinely receives donations from businesses, community organizations and citizens which aid in funding of department programs; AND

WHEREAS, these programs include Community Oriented Policing, K9, Junior Police Academy and McGruff to name a few; AND

WHEREAS, donations assist with offsetting the cost of these programs; AND

WHEREAS, the Cortland City Police Department recently received three donations towards the K9 program to assist with the purchase, training and equipping of a new K9 to replace retired K9 Lummel; NOW, THEREFORE, BE IT

RESOLVED, that the City of Cortland Common Council agrees to accept these donations and appropriate the funding for the K9 program to assist with the purchase, training and equipping of a new K9, and recognizes and extends its appreciation for the generosity of the donors listed below.

David & Christine McNeil	\$5,000.00
Cortland Community Service Club	\$1,000.00
Phillip & Marie Rumsey	\$750.00

Motioned by: Council Member Carpenter

Seconded by: Council Member Lane

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]

Nays – 0

Resolution No. 121

Authorize Issuance of a Request for Proposals (RFP) for the Purchase and Installation of Boilers at the Wastewater Treatment Facility

WHEREAS, the City of Cortland Wastewater Treatment Facility uses low pressure boilers to supply heat for its buildings and anaerobic digesters; AND

WHEREAS, the facility has used two 5,000,000 BTUH boilers, a 1996 Hurst Fire-Tube and a 1981 Cleaver-Brooks Model 4, to meet the heating demands; AND

WHEREAS, the Hurst boiler has failed due to corrosive fluids having entered the hot water loop and the Cleaver Brooks being well past its expected service life and potentially compromised by the corrosive fluids; AND

WHEREAS, a Wastewater Treatment Facility heating plant study has recommended replacing the existing boilers with two 5,000,000 BTUH Cleaver Brooks Model 5 boilers to meet the facility’s current heating loads; NOW, THEREFORE, BE IT

RESOLVED, that the Wastewater Treatment department is authorized to issue a Request For Proposals for the acquisition of two, 5,000,000 BTUH Cleaver Brooks Model 5 boilers and a Request For Proposals for installation of same; AND BE IT FURTHER

RESOLVED, that the City of Cortland Common Council hereby authorizes Mayor Steve execute a contract with the lowest responsible bidder for an amount not to exceed \$250,000.00 for said boilers and a contract with the lowest responsible bidder for an amount not to exceed \$50,000.00 for installation of same.

Motioned by: Council Member Silliman

Seconded by: Council Member Carpenter

Approved: Ayes – 7 [Schutt, Silliman, Pennello, Lane, Thompson, Carpenter, Beckwith]
Nays – 0

DISCUSSION ITEMS

Discussion Item No. 1 Motorized Bicycles

Mayor Steve said he would like input from the Council and public on gas powered, motorized bicycles. Issues to discuss include compliance with traffic rules, speed, use of helmets, and for battery powered bicycles, education about fire hazards posed during battery charging.

Discussion Item No. 2 Occupancy Tax

Mayor Steve reviewed that the Council authorized an occupancy tax of 1% to 3%, but did not implement the tax during the pandemic. The state legislation enabling the occupancy tax was set to expire this year and Mayor Steve advised the City’s state representatives that the City wishes to assess potential revenue from and impact of such a tax before requesting an extension of state authority.

Discussion Item No. 3 Former Parker School Building

Mayor Steve and Common Council members discussed the public informational meeting held June 8, 2023 and how to proceed in determining the future of the former Parker School building.

In February 2023, the Council voted unanimously to issue a request for proposals (RFP) to find new ownership and development opportunities for the building. The City received one response - from Ithaca Neighborhood

Housing Services (INHS) to develop housing that supports specific goals in the City's Comprehensive Plan to increase quality housing for modest-income workers including single parents, retirees on fixed incomes, and people with intellectual, developmental and mobility needs.

On June 8, 2023, the City held a public meeting which included a presentation by INHS about their proposal and an opportunity for the community to ask questions and address their concerns. The City has posted a question and answer (Q&A) document to answer the questions raised. The RFP, INHS proposal, Q&A and other information is posted on the City website at: www.cortland.org/505.

Council Member Silliman said she understands concerns raised by neighborhood residents. She also stated she believes in INHS' mission and that they will work with the community to meet community needs and address neighborhood concerns. She encouraged community organizations to submit any proposals they may have for use of the building, and noted that INHS stated they would build below-cost space for child care services if a viable provider is interested.

Council Member Schutt said he will need more information about similar INHS projects and certain assurances before supporting the proposal. Mr. Schutt and Council Member Lane indicated the need for clarity about whether apartments would be leased to Section 8-eligible individuals and families.

Mayor Steve said it is important to ensure that the property will not become a nuisance property, and Ms. Silliman added that the building's use should enhance the neighborhood and benefit the City.

Mayor Steve suggested that the Common Council hold two public hearings on the potential sale of the property to INHS, which the Council agreed. The first public hearing will be held at 6:00 p.m. July 18, 2023 in the Common Council Chambers on the third floor of City Hall, 25 Court St. Cortland NY.

The Mayor said he and the Council should move forward in talking about public concerns. He said that inaction is also a concern, having noted earlier that the building has been empty for four years.

ADJOURNMENT

The meeting was adjourned at 8:22 p.m. on motion of Council Member Thompson.